

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN THE MATTER OF THE SEIZURE OF)
\$7,780 IN UNITED STATES CURRENCY and) M.B.D. No. 24-91079
\$7,660 IN UNITED STATES CURRENCY,)
SEIZED ON OR ABOUT SEPTEMBER 15, 2023)

**MOTION TO EXTEND TIME TO FILE
CIVIL FORFEITURE COMPLAINT, FOR 60 DAYS,
TO AND INCLUDING APRIL 28, 2024**

The United States of America, by and through its attorney, Joshua S. Levy, Acting United States Attorney for the District of Massachusetts, as authorized pursuant to 18 U.S.C.

§ 983(a)(3)(A), hereby moves to extend from February 28, 2024, to April 28, 2024, the time in which the United States is required to file a Verified Complaint for Forfeiture *in Rem* alleging forfeiture regarding the following properties to which claims have been filed by Claimants Hongbin Wu and Wolin Huang (the “Claimants”) in a nonjudicial civil forfeiture proceeding with the United States Customs and Border Protection (“CBP”):

- a. \$7,780 in United States Currency, seized on or about September 15, 2023, from Hongbin Wu; and
- b. \$7,660 in United States Currency, seized on or about September 15, 2023, from Wolin Huang

(collectively, the “Currency”).

A proposed Order Extending the Time to File Civil Forfeiture Complaint is submitted herewith. The United States, in support of this motion, states as follows:

1. The Currency was seized on or about September 15, 2023.
2. CBP sent notice of its intent to forfeit the Currency administratively, as required by 18 U.S.C. § 983(a)(1)(A).
3. The Claimants filed their respective claims to the Currency on or about November 25, 2023, which were received by CBP on a timely basis.

4. No other person has filed a claim to the Currency as required by law in the nonjudicial civil forfeiture proceeding, and the time within which to file such claims has expired. *See* 18 U.S.C. § 983(a)(2)(A)-(E).

5. CBP transmitted the claims received in the nonjudicial civil forfeiture proceedings for the Currency to the United States Attorney for the District of Massachusetts, for the purpose of initiating a judicial forfeiture action against the Currency.

6. In general, the United States must take action within 90 days after a claim was filed in the nonjudicial forfeiture proceeding, unless the time has been extended for good cause or upon agreement of the parties. Specifically, 18 U.S.C. § 983(a)(3)(A) provides:

(A) Not later than 90 days after a claim has been filed, the Government shall file a complaint for forfeiture in the manner set forth in the Supplemental Rules for Certain Admiralty and Maritime Claims or return the property pending the filing of a complaint, except that a court in the district in which the complaint will be filed may extend the period for filing a complaint for good cause shown or upon agreement of the parties.

7. The United States is currently gathering information about the seizure of the Currency, including information from the seizing agency, in order to review the facts surrounding the seizure of the Currency, and consider, among other things, whether to file a civil forfeiture complaint. To allow this review to occur, the United States respectfully requests a 60-day extension, to allow it further time to gather and review materials provided by the Claimants and CBP.

8. The United States respectfully requests an extension of time, up to and including April 28, 2024, so that the United States may further review information associated with this matter.

CONCLUSION

The United States respectfully requests that the Court enter an Order extending the period in which the United States is required to file a civil complaint against the Currency, up to and including April 28, 2024.

Respectfully submitted,

JOSHUA S. LEVY,
Acting United States Attorney,

By: /s/ Carol E. Head
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Date: February 21, 2024

CERTIFICATE OF SERVICE

I, Carol E. Head, Assistant United States Attorney, certify that the attached document was served by certified mail, return receipt requested, to Hongbin Wu, 26 Broadway, Quincy, MA 02169 and to Wolin Huang, 7118 17th Avenue, Brooklyn, NY 11204. The document was also filed through the Electronic Case Filing system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ Carol E. Head
CAROL E. HEAD
Assistant United States Attorney

Date: February 21, 2024